

162
PATENT
Customer No. 22,852
Attorney Docket No. 7883.0036-01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marvin GUILES et al.

Application No.: 10/617,176

Filed: July 11, 2003

For: LEFT VENTRICULAR
CONDUITS AND METHODS
FOR DELIVERY

)

) Group Art Unit: 3751

) Examiner: J. CASIMER JACYNA

)

) Confirmation No.: 3040

)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R.
§ 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

The foreign patent documents and non patent literature documents listed on pages 14-15 are of record in prior Application No. 09/630,385, filing date August 1,

04/13/2005 SZEWDIE1 00000029 10617176

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2000, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120, and accordingly copies of those documents are not enclosed.

Copies of the foreign patent documents and non patent literature documents listed on pages 16-20 of the Form PTO/SB/08 are attached. Copies of the U.S. patents and U.S. patent application publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO/SB/08.

Regarding the non-English language documents:

WO 96/32972 - An English language Abstract is submitted herewith. Moreover, U.S. Patent No. 6,458,323 B1 and U.S. Patent Application Publication No. 2003/0044315 A1 are believed to be English language counterpart applications of WO 96/32972.

WO 96/35469 - An English language Abstract is submitted herewith. Moreover, U.S. Patent Nos. 6,251,104 B1 and 6,322,548 B1 are believed to be English language counterpart applications of WO 96/35469.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 12, 2005

By: 
Michael W. Kim
Reg. No. 51,880

APR 12 2005

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				Examiner Name	J. CASIMER JACYNA
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First Named Inventor	Marvin GUILES et al.
Art Unit	3751
Examiner Name	J. CASIMER JACYNA
Attorney Docket Number	7883.0036-01

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
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Examiner Signature	Date Considered
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